



STATE PROCUREMENT OFFICE NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS

1. TO: Chief Procurement Officer

2. FROM: Public Safety

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:

Victim Information and Notification Everyday (VINE) is a service that provides automated in- and out-bound notification services for crime victims. Victims of crime call a toll-free number to receive basic information on the custody status of an offender or parolee. Victims can also register for notification when an offender's status changes. Each system is backed up with live operator support on a 24 hour, seven days a week basis and offers foreign language options to victims whose native language is not English with a live interpreter for immediate assistance. VINE provides statistics and audit reports on all notification calls that the system processes. Every contact with a victim is logged to provide assurances of the system's performance. The vendor will also assist with a complete training, promotion, and public relations campaign designed to ensure effective outreach to crime victims in our community. Most importantly, the vendor provides a remote back-up system of information that is stored in our databases.

4. Name of Vendor: Appriss, Inc.

Address: 10401 Linn Station Road, Suite 200
Louisville, Kentucky 40223

5. Price:

\$181,500.00

6. Term of Contract:

From: 07/01/2011

To: 06/30/2013

12/31/11 *PSA* 59117. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State: There is insufficient time for the procurement, contract execution, fund encumbrance and implementation processes to ensure continuity of services. See attached timeline.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

The original contract with Appriss, Inc., was through a sole source approval under SSN 08-067B, May 28, 2008. As directed by CPO comments regarding the verification of the maintenance of the VINE system as a sole source, PSD has verified that while the VINE system is proprietary to Appriss, Inc., there is another victim notification system that is being used by another state.

During the month of March, 2011, PSD staff has been in contact with Information Strategies (InfoStrat), and has discovered that there is insufficient time for the full implementation of their system, if a formal procurement was pursued. InfoStrat would require a minimum of 4 to 6 weeks for its implementation after a notice to proceed is issued.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

The DOJ-BJA grant has been extended to allow PSD to fully expend funds for the continuity of the SAVIN project.

PSD has complied with the CPO comments on SSN 08-067B and is submitting this request for exemption as a result of its findings.

The contract administrator will be given written delegation and has been taking the appropriate workshops as applicable.

Upon approval of this exemption, the procurement and contracts section will issue a new contract under this exemption.

The Deputy AG will review and approve as to form the contract documents.

The Director will review and execute the contract.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:			
Name	Position	Involvement in Process	
Jodie F. Maesaka-Hirata	Director	<input checked="" type="checkbox"/> Approval	<input type="checkbox"/> Administration
Rosalina Aipopo	Executive Assistant to the Dir	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
Joy Windham	Corrections Program Specialis	<input type="checkbox"/> Approval	<input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration
		<input type="checkbox"/> Approval	<input type="checkbox"/> Administration

13. Direct inquiries to:	Department: Public Safety Contact Name: Marc Yamamoto <i>may 4/13/11</i> Phone Number: 808-587-1215 Fax Number: 808-587-1244
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Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

[Signature]
Department Head

4/15/11
Date

Reserved for SPO Use Only	
15. Date Notice Posted <i>4/20/2011</i>	
The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to: <div style="margin-left: 100px;"> Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119 </div>	
Chief Procurement Officer's comments: <p>There is insufficient justification to approve a two-year exemption. However, due to the nature of the services required and to ensure the continuity of services, a six-month exemption is approved to allow the department time to solicit for the services using the appropriate procurement method, execute a contract and implement the system.</p> <p>Approval is for the period 07/01/11 to 12/31/11 and is for the solicitation process only, HRS section 103D-310(c) and HAR section 3-122-112, shall apply. This award is required to be posted on the Awards Reporting System.</p>	

16. ☒ **APPROVED** ☐ **DISAPPROVED** ☐ **NO ACTION REQUIRED**

[Signature] *5/9/2011*
 Chief Procurement Officer Date

**ATTACHMENT TO FORM SPO-07: NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS.**

May 28, 2008 through March 1, 2010: PSD has requested and has been approved for a sole source for its Statewide Automated Victim Information and Notification (SAVIN) system with Appriss, Inc., under SS No. 08-067-B and amendments 1 through 4 (attached).

December 31, 2010: The project's lead person has been terminated effective December 31, 2010. The duties of the lead person are currently being fulfilled by the Director's staff. The savings in the salary and benefits has produced a substantial availability of funds, in the neighborhood of approximately \$105,000.

March 3 to March 21, 2011: PSD reviewed grant records and discovers the magnitude of unspent grant funds. As part of CPO comments of SSN 08-067-B, researches whether Appriss, Inc. is a sole source for the Victim Notification System. While the VINE system is proprietary to Appriss, Inc. and can only be maintained by Appriss, Inc., there is another provider, Information Strategies (InfoStrat).

Appriss, Inc. currently has a complaint against InfoStrat on patent infringement (filed in December 2010), but the case has yet to be heard.

March 22 to March 24, 2011: PSD corresponds with InfoStrat and discovers that pursuing a formal solicitation would be too time consuming and would not provide continuity of service for the SAVIN. The procurement, contract and encumbrance process would take at best, at least 8 weeks, the implementation of the InfoStrat system is estimated at 4 to 6 weeks and does not currently provide Ilocano or Tagalog translations.

March 30 to April 11, 2011: Discussions with Appriss, Inc. regarding an extension of the contract and renegotiations of the maintenance and operational fees and functionality of the system.

April 12, 2011: Appriss, Inc. provides renegotiated pricing of \$90,750.00 annually or \$7,562.50/month for the proposed period 07/1/2011 through 06/30/2013.

April 13, 2011: PSD requests extension of grant period from DOJ-BJA for the two-year period ending 06/30/2013.